

duced, together with such Invoices and Shop Notes as have been likewise laid before us, to be Copied, and have annexed the same hereto, as by reference had thereto may more fully and at large appear.

We have likewise stated a General Account Current, shewing the whole Sum raised, what Money is now in Hand, and how the Remainder has been disposed of as appears by the Account also hereunto annexed, marked C, reference being had thereto appears.

All which is humbly submitted to the Consideration of the Lower House of Assembly.

29th July, 1740.

Signed per Order, *Richard Dorsey*, Cl.

The following Message, *viz.*

By the House of Delegates, July 29. 1740.

May it please your Honours,

WE are very much surprized that you should think it inconsistent with the Disposition of the Governor and Chancellor to shew either Mercy or Lenity without being paid for the same by the Publick, contrary to a Law of the Province: And it is as Extraordinary for you to say that we find Fault with the Use of the Seal to such a Purpose, because we refuse to Pay, contrary to your Presumption that there is no Law against the Allowance. It is from the Assurance we have that there is such a Law that we then did, and now Disallow that Article.

If any part of the 54898 *lb.* Tobacco charged by the Secretary and Attorney General be on such a Footing as ought in Justice to be allowed by the Publick, that being made appear hereafter it may be paid; but we conceive the whole to arise from the Cause assigned in our former Message, and therefore cannot allow thereof.

And if the Prisoners were Discharged by Order of the King in Council, sure that is a plain indication that his Majesty Disapproved of the Prosecutions, and if they have Recognized their Recognizances are liable: We consider the Attorney General, and Secretary, in Execution of their great Offices are to serve the Lord Proprietor, and that in this they had no reason to Act on the Faith and Credit of the Publick; nor in Honour and Justice to our Constituents can we suffer such a Charge to pass against them.

As to the 3213 *lb.* Tobacco to Mr. *Ross*, the part of the Service done at the request of the Committee of Aggrievances was a publick Business for which he has a Yearly and Daily Salary; and had the Books which contained those extraordinary Orders of Council which Pass as Laws on the People (and ought to be Publick) been laid before the Committee, he had not had the Trouble of Copving, wherefore we cannot allow of that part, nor of the other for the Reasons already assigned.